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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/517,976 | 12/15/2004 | Josephus Arnoldus Henricus Maria Kahlman | NL 020577 | 1953 |

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

JEAN PIERRE, PEGUY

ART UNIT PAPER NUMBER

2819

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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| | | | |
|------------------------------|--------------------------------------|---|--|
| Office Action Summary | Application No. 10/517,976 | Applicant(s) KAHLMAN, JOSEPHUS ARNOLDUS HENRICUS MAR | |
| | Examiner Peguy JeanPierre | Art Unit 2819 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/10/2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Allowable Subject Matter

1. The indicated allowability of claims 1-25 is withdrawn because the 112 rejection has not been overcome.

Specification

2. The abstract of the disclosure is objected to because the preferred layout of the specification is missing. Correction is required. See MPEP § 608.01(b).

Drawings

3. The drawings are objected to because the handwritten reference characters of the replacement sheets are not legible. The drawings are objected to under 37 CFR 1.83(a) because they fail to show N codewords having a neutral or zero running disparity as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency.

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Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-25 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1 recites the limitations of "...a running digital sum of each group of N code words equal to zero". This limitation is not adequately described in the specification. It is not clear whether the running disparity is performed in the pre-coder or in the coder. A coding algorithm or scheme is missing in the specification. The specification is silent about the number of bits in each codeword; how the group of N code words is formed. Is the group derived from the pre-coded data? The specification must clearly state how

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the pre-coded data are combined to form a RDS of zero disparity or whether bits are further inserted in the pre-coded data to arrive at this neutral disparity. Please clarify.

In addition, the term the "17PP coder/decoder" is not well known in the art; hence, it must clearly be defined to help in understanding the invention. Figure 3 illustrates coded stream (32) that comprises a plurality of code words, it is not clear that a group N of the aforementioned code words have a zero disparity. Please clarify.

6. Claims 1-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1 is confusing. The claim recites the coding of a stream of input words into a stream of pre-coded input words. That is, the coder precedes the pre-coder. It appears that the pre-coder precedes the coder as illustrated in Figure 1. In addition, it is not clear where the coded input data has an RDS (running digital sum) of "0" or the pre-coded input data has an RDS of "0". Furthermore, the tables of Figures 5 and 6 and claims 7, 8, 16, 17, 22 are misleading because their RDSs are not equal to zero.

Response to Arguments

7. Applicant's arguments filed on 12/29/2005 have been fully considered but they are not persuasive. Applicant contends that the running disparity is performed in the pre-coder. The statement is misleading. For a running disparity to be "0" the number of bits must be even and the number of "0" and "1" must be equal. The pre-coder as illustrated in table 1 does not show a running disparity of "0". Hence, the number of bits is material in understanding the invention. The amendment of claim 1 does not cure the

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deficiency of the claims. At least one drawing showing the formation of at least 2 codewords having a zero disparity must be provided.

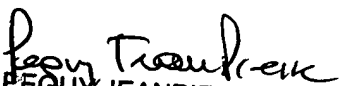
Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Jung (USP 6,333,704), Widmer (USP 6,876,315 and USP 6,496,540) disclose coded data having running disparity of zero.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peguy JeanPierre whose telephone number is (571) 272-1803/272-1803. The examiner fax phone number is (571) 273-1803.


PEGUY JEANPIERRE
PRIMARY EXAMINER